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EXAMINER

NGUYEN, PHUONGCHAU BA

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PAPER

Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

Office Action Summary	Application No. 10/692,959	Applicant(s) MAHANY ET AL.	
	Examiner PHUONGCHAU BA NGUYEN	Art Unit 2464	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 9-23-10 Pre-Brief Conference.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 10,12-18,20-43 and 45-51 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 10,12-18,20-43 and 45-51 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 24 October 2003 is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☒ All b) ☐ Some * c) ☐ None of:
1. ☒ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. _____.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|--|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413) |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | Paper No(s)/Mail Date. _____ |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO/SB/08) | 5) <input type="checkbox"/> Notice of Informal Patent Application |
| Paper No(s)/Mail Date _____ | 6) <input type="checkbox"/> Other: _____ |

Claim Objections

1. Claims 10, 12-13, 18, 20-21, 27-28, 31, 33-34, 37-41, 45-49, 51 are objected to because of the following informalities: "operable to" or "capable of" is an optional limitation and should be replaced with a positive limitation to make the claimed language positively recited, i.e., claim 12, "operable to control" (line 2) or "capable of communicating" (line 3) should be changed to ---for controlling (line 2)--- or ---for communicating (line 3)--- respectively. Appropriate correction is required.

Claim Rejections - 35 USC § 102

2. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

(e) the invention was described in a patent granted on an application for patent by another filed in the United States before the invention thereof by the applicant for patent, or on an international application by another who has fulfilled the requirements of paragraphs (1), (2), and (4) of section 371(c) of this title before the invention thereof by the applicant for patent.

The changes made to 35 U.S.C. 102(e) by the American Inventors Protection Act of 1999 (AIPA) and the Intellectual Property and High Technology Technical Amendments Act of 2002 do not apply when the reference is a U.S. patent resulting directly or indirectly from an international application filed before November 29, 2000. Therefore, the prior art date of the reference is determined under 35 U.S.C. 102(e) prior to the amendment by the AIPA (pre-AIPA 35 U.S.C. 102(e)).

3. Claims 10, 12-16, 18, 20-24, 26, 28-32, 34-45, 48-49 and 51 are rejected under 35 U.S.C. 102(b) as being anticipated by Thrower (4,748,655).

Regarding claims 1-9. (cancelled)

Regarding claims 10 & 18,

Thrower (4,748,655) discloses a transceiver for use in a wireless/mobile network device (Multi-Channel Unit 15-fig.1 or Single Mobile Telephone 9-fig.1) that operates in a communication system that includes a main communication network (cellular/longer range network of base station 7, fig.1 and single mobile telephone 9 & multi-channel unit 15, fig.1, see col.3, lines 5-8, 24-28 wherein each base station communicates with mobile telephone set 9 within its cell) and a radio network (remote/shorter range network of single mobile telephone 9 & multi-channel 15, fig.1 and personal portable telephones 11, fig.1, see col.3, lines 34-37 wherein telephone 11 would have a short range of 300m or less; and see also col.3, lines 47-49 wherein each telephone 11 communicates with subscriber (single mobile telephone 9) over a Short Range), the transceiver (it is assumed that the transceiver is meant as the wireless/mobile network device 15-fig.1) comprising:

at least one radio unit (RX/TX 26-fig.2 & RX/TX 20-fig.2) configured to communicate with the main communication network (with base station 7 via RX/TX 26) and the radio network (with personal portable telephones 11 via RX/TX 20);

wherein the transceiver (multi-channel unit 15-fig.1 or single mobile telephone 9-fig.1) is operable to enable the wireless/mobile network device to participate as a master device (to telephones 11-fig.1) on the radio network, {see also col.3, lines 44-49 wherein each telephone 11 (as slave to master-single mobile telephone 9-fig.1 or multi-

channel 15-fig.1) communicates with subscriber (single mobile telephone 9 as master to slave-telephone 11) over a Short Range, col.3, lines 47-49}, operable to control communications on the radio network {see col.6, lines 5-8, 18-22 wherein the single mobile telephone 9-fig.1 or multi-channel unit 15-fig.1 (master) comprises a control unit 28 for controlling the communications on the radio network by allocating a free channel on which communications maybe carried out between the unit 15 or telephone 9 and the personal telephone 11 via RX/TX 20}.

Regarding claims 28 & 34,

Thrower (4,748,655) discloses a transceiver for use in a wireless/mobile network device (Multi-Channel Unit 15-fig.1 or Single Mobile Telephone 9-fig.1) that operates in a communication system that includes a radio network remote/shorter range network of single mobile telephone 9 & multi-channel 15, fig.1 and personal portable telephones 11, fig.1, see col.3, lines 34-37 wherein telephone 11 would have a short range of 300m or less; and see also col.3, lines 47-49 wherein each telephone 11 communicates with subscriber (single mobile telephone 9) over a Short Range), the transceiver (it is assumed that the transceiver is meant as the wireless/mobile network device 15-fig.1) comprising:

a radio unit (RX/TX 20-fig.2) configured to communicate with the radio network (with personal telephones 11-fig.1);

wherein the transceiver (multi-channel unit 15-fig.1 or single mobile telephone 9-fig.1) is operable to enable the wireless/mobile network device to participate as a

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master device (to telephones 11-fig.1) on the radio network, {see also col.3, lines 44-49 wherein each telephone 11 (as slave to master-single mobile telephone 9-fig.1 or multi-channel 15-fig.1) communicates with subscriber (single mobile telephone 9 as master to slave-telephone 11) over a Short Range, col.3, lines 47-49}, operable to manage communications of a second wireless/mobile network device (personal telephones 11-fig.1) participating on the radio network with a third wireless/mobile network device (personal telephones 11-fig.1) participating on the radio network {see col.6, lines 5-8, 18-22 wherein the single mobile telephone 9-fig.1 or multi-channel unit 15-fig.1 (master) comprises a control unit 28 for controlling (managing) the communications on the radio network by allocating a free channel on which communications maybe carried out between the unit 15 or telephone 9 and the personal telephones 11 via RX/TX 20}.

Regarding claim 38,

Thrower (4,748,655) discloses an integrated circuit for use in a wireless/mobile network device (Multi-Channel Unit 15-fig.1 or Single Mobile Telephone 9-fig.1) that operates in a communication system that includes a radio network remote/shorter range network of single mobile telephone 9 & multi-channel 15, fig.1 and personal portable telephones 11, fig.1, see col.3, lines 34-37 wherein telephone 11 would have a short range of 300m or less; and see also col.3, lines 47-49 wherein each telephone 11 communicates with subscriber (single mobile telephone 9) over a Short Range), the integrated circuit (it is assumed that the transceiver is meant as the wireless/mobile network device 15-fig.1) comprising:

transmit circuitry (RX/TX 20-fig.2) configured to transmit signals on the radio network (with personal telephones 11-fig.1); and

receive circuitry (RX/TX 20-fig.2) configured to receive signals from the radio network (with personal telephones 11-fig.1);

wherein the device integrated circuit (multi-channel unit 15-fig.1 or single mobile telephone 9-fig.1) is operable to enable the wireless network device to participate as a master device (to telephones 11-fig.1) on the radio network, {see also col.3, lines 44-49 wherein each telephone 11 (as slave to master-single mobile telephone 9-fig.1 or multi-channel 15-fig.1) communicates with subscriber (single mobile telephone 9 as master to slave-telephone 11) over a Short Range, col.3, lines 47-49}, operable to control communications on the radio network {see col.6, lines 5-8, 18-22 wherein the single mobile telephone 9-fig.1 or multi-channel unit 15-fig.1 (master) comprises a control unit 28 for controlling the communications on the radio network by allocating a free channel on which communications maybe carried out between the unit 15 or telephone 9 and the personal telephone 11 via RX/TX 20}.

Regarding claim 47,

Thrower (4,748,655) discloses a wireless network device (Multi-Channel Unit 15-fig.1 or Single Mobile Telephone 9-fig.1) for operating in a communication system that includes a radio network remote/shorter range network of single mobile telephone 9 & multi-channel 15, fig.1 and personal portable telephones 11, fig.1, see col.3, lines 34-37 wherein telephone 11 would have a short range of 300m or less; and see also col.3,

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lines 47-49 wherein each telephone 11 communicates with subscriber (single mobile telephone 9) over a Short Range), the device (the wireless/mobile network device 15-fig.1) comprising:

transmit circuitry (RX/TX 20-fig.2) configured to transmit signals on the radio network (with personal telephones 11-fig.1); and

receive circuitry (RX/TX 20-fig.2) configured to receive signals from the radio network (with personal telephones 11-fig.1);

wherein the device (multi-channel unit 15-fig.1 or single mobile telephone 9-fig.1) is operable to participate as a master device (to telephones 11-fig.1) on the radio network, {see also col.3, lines 44-49 wherein each telephone 11 (as slave to master-single mobile telephone 9-fig.1 or multi-channel 15-fig.1) communicates with subscriber (single mobile telephone 9 as master to slave-telephone 11) over a Short Range, col.3, lines 47-49}, operable to manage communications of a second wireless network device (personal telephones 11-fig.1) participating on the radio network with a third wireless network device (personal telephones 11-fig.1) participating on the radio network {see col.6, lines 5-8, 18-22 wherein the single mobile telephone 9-fig.1 or multi-channel unit 15-fig.1 (master) comprises a control unit 28 for controlling (managing) the communications on the radio network by allocating a free channel on which communications maybe carried out between the unit 15 or telephone 9 and the personal telephones 11 via RX/TX 20}.

Regarding claims 11, 19, 44. (cancelled)

Regarding claims 12 & 20, Thrower further discloses a processor (controller 28-fig.2) operable to control the communications of the at least one radio unit (RX/TX 20-fig.2) with the radio network (with personal telephones 11-fig.1 in the short-range network, see col.3, lines 34-37, 47-49) and capable of communicating with the main communication network (with base station 7-fig.1 in cellular network, see col.3, lines 5-8, 24-28).

Regarding claim 39, Thrower further discloses wherein the communication system (fig.1) further comprises a main communication network (communication of base station 7-fig.1 with multi-channel unit 15-fig.1 or single mobile telephone 9-fig.1 in cellular network, see col.3, lines 5-8, 24-28) and wherein the integrated circuit (multi-channel unit 15-fig.1 or single mobile telephone 9-fig.1) is capable of communicating with the main network (via base station 7-fig.1).

Regarding claim 40, Thrower further discloses a processor (controller 28-fig.2) operable to control the communications of the transmit and receive circuitry (RX/TX 20-fig.2) with the radio network (with personal telephones 11-fig.1 in the short-range network, see col.3, lines 34-37, 47-49) and capable of communicating with the main communication network (with base station 7-fig.1 in cellular network, see col.3, lines 5-8, 24-28).

Regarding claims 13 & 21, Thrower further discloses wherein the wireless/mobile

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network device (multi-channel unit 15-fig.1 or single mobile telephone 9-fig.1) is operable to participate as a slave on the main communication network (with the base station 7-fig.1 in cellular network, see col.3, lines 5-8, 24-28).

Regarding claim 41, Thrower further discloses wherein the device integrated circuit (multi-channel unit 15-fig.1 or single mobile telephone 9-fig.1) is operable to enable the wireless network device to participate as a slave on the main communication network (with the base station 7-fig.1 in cellular network, see col.3, lines 5-8, 24-28).

Regarding claims 14, 22, 42, Thrower further discloses wherein the main communication network (cellular network, fig.1, col.3, lines 5-8, 24-28) comprises a wired communication network (wired communications between base station 7-fig.1 and MSC 5-fig.1 via landline, col.6, lines 28-33).

Regarding claims 15, 23, 43, Thrower further discloses wherein the main communication network (cellular network, fig.1, col.3, lines 5-8, 24-28) comprises a wireless communication network (wireless communications between base station 7-fig.1 and single mobile telephone 9-fig.1 or multi-channel unit 15-fig.1, col.3, lines 5-8, 24-28).

Regarding claims 29, 35, 48, Thrower further discloses wherein the transceiver/integrated circuit enables the wireless/mobile network device (single mobile

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telephone 9-fig.1 or multi-channel 15-fig.1) to manage communications of a second wireless network device (telephones 11-fig.1), that participates on the radio network (the short-range network, see col.3, lines 34-37, 47-49), with the wireless communication network (with base station 7-fig.1 via single mobile telephone 9-fig.1 or multi-channel 15-fig.1) {see also col.6, lines 5-8, 18-22 wherein the single mobile telephone 9-fig.1 or multi-channel unit 15-fig.1 (master) comprises a control unit 28 for controlling (managing) the communications on the radio network by allocating a free channel on which communications maybe carried out between the unit 15 or telephone 9 and the personal telephones 11 via RX/TX 20}.

Regarding claims 30, 36, 49, Thrower further discloses wherein the transceiver/integrated circuit enables the wireless network device (single mobile telephone 9-fig.1 or multi-channel 15-fig.1) to facilitate communications of a second wireless network device (telephones 11-fig.1), that participates on the radio network (the short-range network, see col.3, lines 34-37, 47-49), with the wireless communication network (with base station 7-fig.1 via single mobile telephone 9-fig.1 or multi-channel 15-fig.1)(single mobile telephone 9 or multi-channel unit 15 operates as a gateway to the telephones 11-fig.1 in the short range network for providing/facilitating the communication with the base station 7 in the cellular network, emphasis added, see also col.3, lines 24-46).

Regarding claims 16 & 24, Thrower further discloses wherein the transceiver comprises an integrated circuit (fig.2).

Regarding claims 26, 32, 45, Thrower further discloses wherein the transceiver/integrated circuit enables the wireless network device (single mobile telephone 9-fig.1 or multi-channel 15-fig.1) to manage communications of a second wireless network device (telephones 11-fig.1) participating on the radio network (the short-range network, see col.3, lines 34-37, 47-49) {see also col.6, lines 5-8, 18-22 wherein the single mobile telephone 9-fig.1 or multi-channel unit 15-fig.1 (master) comprises a control unit 28 for controlling (managing) the communications on the radio network by allocating a free channel on which communications maybe carried out between the unit 15 or telephone 9 and the personal telephones 11 via RX/TX 20}.

Regarding claims 31 & 37,

Thrower (4,748,655) discloses a transceiver for use in a wireless/mobile network device (Multi-Channel Unit 15-fig.1 or Single Mobile Telephone 9-fig.1) that operates in a communication system that includes a radio network remote/shorter range network of single mobile telephone 9 & multi-channel 15, fig.1 and personal portable telephones 11, fig.1, see col.3, lines 34-37 wherein telephone 11 would have a short range of 300m or less; and see also col.3, lines 47-49 wherein each telephone 11 communicates with subscriber (single mobile telephone 9) over a Short Range), the transceiver (it is

assumed that the transceiver is meant as the wireless/mobile network device 15-fig.1) comprising:

a radio unit (RX/TX 20-fig.2) configured to communicate with the radio network using spread spectrum signal (with personal telephones 11-fig.1 using code division multiplex access is spread spectrum, see col.4, lines 19-22 or col.7, lines 57-60);

wherein the transceiver (multi-channel unit 15-fig.1 or single mobile telephone 9-fig.1) is operable to enable the wireless/mobile network device to participate as a master device (to telephones 11-fig.1) on the radio network, {see also col.3, lines 44-49 wherein each telephone 11 (as slave to master-single mobile telephone 9-fig.1 or multi-channel 15-fig.1) communicates with subscriber (single mobile telephone 9 as master to slave-telephone 11) over a Short Range, col.3, lines 47-49}, operable to control communications on the radio network {see col.6, lines 5-8, 18-22 wherein the single mobile telephone 9-fig.1 or multi-channel unit 15-fig.1 (master) comprises a control unit 28 for controlling the communications on the radio network by allocating a free channel on which communications maybe carried out between the unit 15 or telephone 9 and the personal telephone 11 via RX/TX 20}.

Regarding claim 51,

Thrower (4,748,655) discloses a wireless network device (Multi-Channel Unit 15-fig.1 or Single Mobile Telephone 9-fig.1) for operating in a communication system that includes a radio network remote/shorter range network of single mobile telephone 9 & multi-channel 15, fig.1 and personal portable telephones 11, fig.1, see col.3, lines 34-37

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wherein telephone 11 would have a short range of 300m or less; and see also col.3, lines 47-49 wherein each telephone 11 communicates with subscriber (single mobile telephone 9) over a Short Range), the device (it is assumed that the transceiver is meant as the wireless/mobile network device 15-fig.1) comprising:

transmit circuitry (RX/TX 20-fig.2) configured to transmit signals on the radio network using spread spectrum signal (with personal telephones 11-fig.1 using code division multiplex access is spread spectrum, see col.4, lines 19-22 or col.7, lines 57-60); and

receive circuitry (RX/TX 20-fig.2) configured to receive signals from the radio network using spread spectrum signal (with personal telephones 11-fig.1 using code division multiplex access is spread spectrum, see col.4, lines 19-22 or col.7, lines 57-60);

wherein the device (multi-channel unit 15-fig.1 or single mobile telephone 9-fig.1) is operable to participate as a master device (to telephones 11-fig.1) on the radio network, {see also col.3, lines 44-49 wherein each telephone 11 (as slave to master-single mobile telephone 9-fig.1 or multi-channel 15-fig.1) communicates with subscriber (single mobile telephone 9 as master to slave-telephone 11) over a Short Range, col.3, lines 47-49}, operable to control communications on the radio network {see col.6, lines 5-8, 18-22 wherein the single mobile telephone 9-fig.1 or multi-channel unit 15-fig.1 (master) comprises a control unit 28 for controlling the communications on the radio network by allocating a free channel on which communications maybe carried out between the unit 15 or telephone 9 and the personal telephone 11 via RX/TX 20}.

4. Claims 27, 33 and 46 are rejected under 35 U.S.C. 102(e) as being anticipated by Akerberg (5,533,027).

Regarding claims 27 & 33,

Akerberg discloses a transceiver for use in a wireless/mobile network device (SFS 2-fig.8, see also fig.5) that operates in a communication system (figure 8) that includes a radio network (a short-range network for providing a communication between SFS 2 and SMS 5a-5c, figs.8 & 5, col.5, lines 60-66), the transceiver (it is assumed that the transceiver is meant as the wireless/mobile network device SFS 2-figs.5 & 8) comprising:

a radio unit (antenna 8-fig.5) configured to communicate with the radio network (with SMS 5a-5c, fig.5);

wherein the transceiver (SFS 2, fig.5) is operable to enable the wireless/mobile network device to participate as a master device (to SMS 5a-5c, fig.5) on the radio network, operable to synchronize communications of a second wireless/mobile network device (SMS 5a-5c, fig.5) participating on the radio network (see figs.15 and 6b and col.10, lines 23-27 wherein the SFS comprises a control logic 27'-fig.15 for connecting the internal antenna for time slots communicating with the subscriber mobile station, SMS 5a-5c; also see fig.8 -time slot synchronization and information flow over radio so slots T1 & R1 have been synchronized in order to connection between SFS and SMS. So SFS synchronizes with the SMS in order to obtain the time slot synchronization and

information flow over network).

Regarding claim 46,

Akerberg discloses a transceiver for use in a wireless network device (SFS 2-fig.8, see also fig.5) that operates in a communication system (figure 8) that includes a radio network (a short-range network for providing a communication between SFS 2 and SMS 5a-5c, figs.8 & 5, col.5, lines 60-66), the device (it is assumed that the transceiver is meant as the wireless network device SFS 2-figs.5 & 8) comprising:

transmit circuitry (transmitter 2425'-fig.15) configured to transmit signals on the radio network (with SMS 5a-5c, fig.8 via indoor antenna 8-fig.15); and

receive circuitry (receiver 24'-fig.15) configured to receive signals from the radio network (with SMS 5a-5c, fig.8 via indoor antenna 8-fig.15);

wherein the device (SFS 2, fig.5) is operable to enable the wireless network device to participate as a master device (to SMS 5a-5c, fig.5) on the radio network, operable to synchronize communications of a second wireless/mobile network device (SMS 5a-5c, fig.5) participating on the radio network (see figs.15 and 6b and col.10, lines 23-27 wherein the SFS comprises a control logic 27'-fig.15 for connecting the internal antenna for time slots communicating with the subscriber mobile station, SMS 5a-5c; also see fig.8-time slot synchronization and information flow over radio so slots T1 & R1 have been synchronized in order to connection between SFS and SMS. So SFS synchronizes with the SMS in order to obtain the time slot synchronization and

information flow over network).

Claim Rejections - 35 USC § 103

5. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

6. Claims 17, 25 are rejected under 35 U.S.C. 103(a) as being unpatentable over Thrower as applied to claims 10, 18 above, and further in view of Gladden (4,152,647).

Regarding claims 17, 25, Thrower does not explicitly disclose wherein the wireless/mobile/integrated network device is sized to be held by a user.

However, in the same field of endeavor, Gladden (4,152,647) discloses a light-weight, self contained repeater (col.2, lines 13-30). Therefore, it would have been obvious to an artisan at the time of the invention was made to implement Gladden's teaching to Thrower's system to make it portable, with the motivation being to provide extension of the range and versatility of communication systems by the use of small portable size of repeaters between transceivers of limited range and a base station.

7. Claim 50 is rejected under 35 U.S.C. 103(a) as being unpatentable over Thrower as applied to claim 38 above, and further in view of Decker (5,375,051).

Regarding claim 50, Thrower does not explicitly disclose wherein the integrated circuit comprises is part of a PCMCIA card.

However, in the same field of endeavor, Decker (5,375,051) discloses radio transceiver connected to a laptop PC via a PCMCIA modem, see fig.1. Therefore, it would have been obvious to an artisan at the time of the invention was made to apply Decker's teaching of PCMCIA modem to Thrower's system to extract energy of media access device to turn on the device with the motivation being to conserve the battery power of the mobile device.

Response to Arguments

8. Applicant's request for reconsideration of the finality of the rejection of the last Office action is persuasive and, therefore, the finality of that action is withdrawn.

9. Any inquiry concerning this communication or earlier communications from the examiner should be directed to PHUONGCHAU BA NGUYEN whose telephone number is (571)272-3148. The examiner can normally be reached on Monday-Friday from 10:15 a.m. to 4:45 p.m..

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Ricky Ngo can be reached on 571-272-3139. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

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Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

/PHUONGCHAU BA NGUYEN/
Patent Examiner, Art Unit 2464